

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Julia L. Pearson**  
Debtor(s)

Bankruptcy Case No.: 16-10706-TPA  
Per July 18, 2017 Proceeding  
Chapter: 13  
Docket No.: 91 – 67, 80, 82  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 13, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,676.00 as of August, 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wilmington (Claim No. 3) with payment changes implemented .
- ☒ H. Additional Terms: Wilmington (Claim No. 2) shall be paid per Loan Modification beginning May, 2017.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: July 21, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Julia L. Pearson  
 Debtor

Case No. 16-10706-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: vson  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 35

Date Rcvd: Jul 21, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 23, 2017.

db +Julia L. Pearson, 11659 Townline Road, Meadville, PA 16335-5585  
 cr +OCWEN LOAN SERVICING, LLC, Stern & Eisenberg, PC, 1581 Main Street, Suite 200,  
 Warrington, PA 18976-3400  
 14263121 +American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern, PA 19355-0701  
 14263123 +Chase, 201 North Walnut Street, Del-1027, Wilmington, DE 19801-2920  
 14263124 +Chase Manhattan Mortgage, Attn: Bankruptcy Dept, PO Box 24696, Columbus, OH 43224-0696  
 14263125 +Chase- Bp, PO Box 15298, Wilmington, DE 19850-5298  
 14263130 ++FORD MOTOR CREDIT COMPANY, P O BOX 62180, COLORADO SPRINGS CO 80962-2180  
 (address filed with court: Ford Credit, PO Box 6275, Deerborn, MI 48121)  
 14263128 +First National Bank Of Pa, 4140 East State Street, Hermitage, PA 16148-3401  
 14263129 +Fnb Consumer Discount Company, 908 Park Avenue, Meadville, PA 16335-3331  
 14263133 +HSBC Mortgage Services Inc, PO Box 21188, Eagan, MN 55121-0188  
 14386594 +Household Realty Corporation, c/o HSBC Mortgage Services, Inc., P.O. Box 21188,  
 Eagan, Minnesota 55121-0188  
 14263137 ++NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337  
 (address filed with court: Northwest Savings Bank, 100 Liberty Street, Warren, PA 16365)  
 14263136 +New Century Mortgage Company, 4835 East Cactus Road, Suite 200, Scottsdale, AZ 85254-4194  
 14263141 +PNC Bank, Pnc Card, 2730 Liberty Ave, Pittsburgh PA 15222-4704  
 14263140 +Pnc Bank, PO Box 94982, Cleveland, OH 44101-4982  
 14263148 +Tractor Supply / Cbsd, PO Box 6500, Sioux Falls, SD 57117-6500  
 14421435 +Wilmington Savings Fund Society, FSB, d, Serviced by Select Portfolio Servicing,,  
 3217 S. Decker Lake Dr., Salt Lake City, UT 84119-3284

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14263138 E-mail/Text: ally@ebn.phinsolutions.com Jul 22 2017 01:13:35 Nuvell Credt,  
 5700 Crooks Road, Suite 301, Troy, MI 48098  
 14263122 +E-mail/Text: bncmail@w-legal.com Jul 22 2017 01:14:21 Back Bowl I LLC, Series C,  
 c/o Weinstein and Riley PS, 2001 Western Avenue, Suite 400, Seattle, WA 98121-3132  
 14263126 +E-mail/Text: rkiser@co.crawford.pa.us Jul 22 2017 01:14:20 Crawford County Tax Claim Bureau,  
 903 Diamond Park, Meadville, PA 16335-2694  
 14263127 +E-mail/Text: mrdiscen@discover.com Jul 22 2017 01:13:36 Discover Bank,  
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025  
 14263131 +E-mail/PDF: gecsed@recoverycorp.com Jul 22 2017 01:10:45 Green Tree Servicing LLC,  
 7340 South Kyrene Road, Recovery Dept - T120, Tempe, AZ 85283-4573  
 14263132 +E-mail/Text: bankruptcy.notices@hdfsi.com Jul 22 2017 01:14:39 Harley Davidson Financial,  
 PO Box 22048, Carson City NV 89721-2048  
 14263134 +E-mail/Text: bncmail@w-legal.com Jul 22 2017 01:14:26 Keystone Recovery Partners LLC,  
 Series A, c/o Weinstein and Riley PS, 2001 Western Avenue, Suite 400,  
 Seattle, WA 98121-3132  
 14263135 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 22 2017 01:11:01  
 LVNV Funding LLC its successors and, assignee of FNBM, Resurgent Capital Services,  
 PO Box 10587, Greenville, SC 29603-0587  
 14263139 +E-mail/Text: bncmail@w-legal.com Jul 22 2017 01:14:22 Oak Harbor Capital VI LLC,  
 c/o Weinstein and Riley PS, 2001 Western Avenue, Suite 400, Seattle, WA 98121-3132  
 14381539 E-mail/Text: peritus@ebn.phinsolutions.com Jul 22 2017 01:14:57  
 PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, Irving, Tx 75014-1419  
 14263143 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 22 2017 01:17:35  
 Portfolio Recovery Associates LLC, PO Box 12914, Norfolk, VA 23541  
 14263142 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 22 2017 01:17:42  
 Portfolio Recovery Associates LLC, PO Box 41067, Norfolk, VA 23541  
 14263144 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 22 2017 01:30:52  
 PRA Receivables Management LLC, PO Box 41067, Norfolk, VA 23541-1067  
 14263145 +E-mail/Text: csidl@sbcglobal.net Jul 22 2017 01:14:33 Premier Bankcard / Charter,  
 PO Box 2208, Vacaville, CA 95696-8208  
 14263146 +E-mail/Text: bnc-quantum@quantum3group.com Jul 22 2017 01:13:52  
 Quantum 3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788  
 14263147 +E-mail/Text: bnc-quantum@quantum3group.com Jul 22 2017 01:13:52  
 Quantum 3 Group LLC as agent for, World Financial Network Bank, PO Box 788,  
 Kirkland, WA 98083-0788  
 14263149 +E-mail/Text: jsprentz@urc.com Jul 22 2017 01:14:57 United Refining, 213 2nd Avenue,  
 Warren, PA 16365-2405  
 14263150 +Fax: 407-737-5634 Jul 22 2017 02:50:40 Wilmington Trust Company,  
 c/o Ocwen Loan Servicing LLC, Attn: Bankruptcy Department,  
 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409-6493

TOTAL: 18

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr HOUSEHOLD REALTY CORPORATION  
 cr JPMorgan Chase Bank, As Trustee  
 cr Wilmington Savings Fund Society, FSB, d/b/a Christ  
 cr Wilmington Trust Company As Successor et. al.

District/off: 0315-1

User: vson  
Form ID: 149

Page 2 of 2  
Total Noticed: 35

Date Rcvd: Jul 21, 2017

cr\* PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, IRVING, TX 75014-1419  
cr ##+SELECT PORTFOLIO SERVICING, INC, 3815 South West Temple, Salt Lake City, UT 84115-4412  
TOTALS: 4, \* 1, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner  
shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social  
Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required  
by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 23, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system on July 21, 2017 at the address(es) listed below:

Alexandra Teresa Garcia on behalf of Creditor HOUSEHOLD REALTY CORPORATION ecfmail@mwc-law.com  
Daniel P. Foster on behalf of Debtor Julia L. Pearson dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana  
Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1  
bkgroup@kmlawgroup.com  
Jeremy J. Kobeski on behalf of Creditor Wilmington Trust Company As Successor et. al.  
pawb@fedphe.com  
Jerome B. Blank on behalf of Creditor JPMorgan Chase Bank, As Trustee pawb@fedphe.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trustee wdpa.com  
Thomas I. Puleo on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana  
Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1  
tpuleo@goldbecklaw.com, BKGroup@goldbecklaw.com  
William E. Miller on behalf of Creditor OCWEN LOAN SERVICING, LLC wmiller@sterneisenberg.com,  
bkecf@sterneisenberg.com

TOTAL: 9